

Steven J. Sarussi
Reg. No. 32,784



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00-432-A)

RECEIVED
JUN 18 2002
TECH CENTER 1600/2900
PATENT
#5
HKO
6-19-02

In re Application of:

Cai et al.

Serial No. 09/892,024

Filed: June 26, 2001

For: Aryl Fused Substituted 4-Oxy-Piridines

Before the Examiner:
Binta M. Robinson

Art Unit: 1614

INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

This prior art statement is filed under 37 C.F.R. §§1.97-1.98 in compliance with the duty of disclosure set forth in 37 C.F.R. §1.56.

In the judgment of the undersigned, the references listed on the attached Form PTO-1449 may be material to the Examiner's consideration of the presently pending claims. However, the reference has not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative relevance between references, whether cited in this statement or prior statements. This statement is not a representation that the listed reference has an effective date early enough to be "prior art" within the meaning of 35 U.S.C. §102.

Should the Examiner desire a translation of any non-English language document listed below, Applicant will provide an English translation upon request.

06/11/2002 TBESHAH1 00000026 132490 09892024

01 FC:126 180.00 CH

1. U.S. Patent 5,326,868, issued July 5, 1994
2. U.S. Patent 5,017,576, issued May 21, 1991
3. U.S. Patent 4,728,647, issued March 1, 1988
4. WO Patent 9,965,904, issued December 23, 1999
5. WO Patent 9,937,303, issued July 29, 1999
6. WO Patent 9,929,319, issued June 17, 1999
7. WO Patent 9,947,131, issued September 23, 1999
8. WO Patent 9,947,142, issued September 23, 1999
9. WO Patent 9,947,171, issued September 23, 1999
10. WO Patent 9,943,681, issued September 2, 1999
11. WO Patent 9,943,682, issued September 2, 1999
12. WO Patent 9,402,145, issued February 3, 1994
13. WO Patent 9,206,094, issued April 16, 1992
14. European Patent 362,006, issued April 4, 1990
15. European Patent 205,375, issued December 17, 1986

Le AD, Tomkins DM and Sellers EM *Use of serotonin (5-HT) and opiate-based drugs in the pharmacotherapy of alcohol dependence: an overview of the preclinical data.* Alcohol and alcoholism, Vol. 31, Suppl. 1, 1996, pp 27-32

Da-Rocha MA Jr, Puech AJ and Thiébot MH *Influence of anxiolytic drugs on the effects of specific serotonin reuptake inhibitors in the forced swimming test in mice,* Journal of Psychopharmacology, Vol. 11, No. 3, 1996, pp 21-28

Smith WT, Londborg PD, Glaudin V, Painter JR *Short-term augmentation of fluoxetine with clonazepam in the treatment of depression: a double-blind study.* American Journal of Psychiatry, Vol. 155, No 10, 1998, pp 1339-1345

White G and Gurley D *Benzodiazepine site inverse agonists can selectively inhibit subtypes of the GABA_A receptor.* Neuroreport, Vol 6, No 9, June 1995, pp 1313-1316

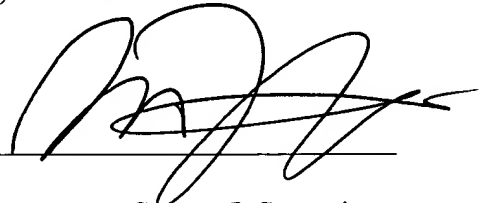
In accordance with MPEP Sections 609 and 707.05(b), it is requested the document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Respectfully submitted,
McDONNELL BOEHNEN
HULBERT & BERGHOFF
300 South Wacker Drive
Chicago, Illinois 60606
(312) 913-0001

Dated:

May 30, 2002

By:



Steven J. Sarussi
Reg. No. 32,784